

Rozana Khan
Executive Officer

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Attorney General of California
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8
9 **BEFORE THE**
PHYSICIAN ASSISTANT BOARD
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. 950-2020-002944

13 **STEPHEN JAMES GRANT, P.A.**
14 **319 Southbury Ln.**
Chico, CA 95973-8223

15 **Physician Assistant License No. PA 13240**

16 Respondent.

**STIPULATED SURRENDER OF
LICENSE AND DISCIPLINARY ORDER**

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18 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
19 entitled proceedings that the following matters are true:

20 **PARTIES**

21 1. Rozana Khan (Complainant) is the Executive Officer of the Physician Assistant
22 Board (Board). She brought this action solely in her official capacity and is represented in this
23 matter by Rob Bonta, Attorney General of the State of California, by Ryan J. McEwan, Deputy
24 Attorney General.

25 2. Stephen James Grant, P.A. (Respondent) is represented in this proceeding by attorney
26 Jennifer A. Scott, Esq., whose address is: Kronick Moskovitz Tiedemann & Girard, 1331 Garden
27 Highway, 2nd Floor, Sacramento, CA 95833.

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1 3. On or about February 4, 1994, the Board issued Physician Assistant License No. PA
2 13240 to Stephen James Grant, P.A. (Respondent). The Physician Assistant License was in full
3 force and effect at all times relevant to the charges brought in Accusation No. 950-2020-002944
4 and expired on February 28, 2022.

5 **JURISDICTION**

6 4. Accusation No. 950-2020-002944 was filed before the Board, and is currently
7 pending against Respondent. The Accusation and all other statutorily required documents were
8 properly served on Respondent on March 17, 2022. A copy of Accusation No. 950-2020-002944
9 is attached as Exhibit A and incorporated by reference.

10 **ADVISEMENT AND WAIVERS**

11 5. Respondent has carefully read, fully discussed with counsel, and understands the
12 charges and allegations in Accusation No. 950-2020-002944. Respondent also has carefully read,
13 fully discussed with counsel, and understands the effects of this Stipulated Surrender of License
14 and Disciplinary Order.

15 6. Respondent is fully aware of his legal rights in this matter, including the right to a
16 hearing on the charges and allegations in the Accusation; the right to confront and cross-examine
17 the witnesses against him; the right to present evidence and to testify on his own behalf; the right
18 to the issuance of subpoenas to compel the attendance of witnesses and the production of
19 documents; the right to reconsideration and court review of an adverse decision; and all other
20 rights accorded by the California Administrative Procedure Act and other applicable laws.

21 7. Respondent voluntarily, knowingly, and intelligently waives and gives up each and
22 every right set forth above.

23 **CULPABILITY**

24 8. Respondent understands that the charges and allegations in Accusation No. 950-2020-
25 002944, if proven at a hearing, constitute cause for imposing discipline upon his Physician
26 Assistant License.

27 9. For the purpose of resolving the Accusation without the expense and uncertainty of
28 further proceedings, Respondent agrees that, at a hearing, Complainant could establish a factual

1 basis for the charges in the Accusation and that those charges constitute cause for discipline.
2 Respondent hereby gives up his right to contest that cause for discipline exists.

3 10. Respondent understands that by signing this stipulation he enables the Board to issue
4 an order accepting the surrender of his Physician Assistant License without further process.

5 **CONTINGENCY**

6 11. This stipulation shall be subject to approval by the Board. Respondent understands
7 and agrees that counsel for Complainant and the staff of the Board may communicate directly
8 with the Board regarding this stipulation and surrender, without notice to or participation by
9 Respondent or his counsel. By signing the stipulation, Respondent understands and agrees that he
10 may not withdraw his agreement or seek to rescind the stipulation prior to the time the Board
11 considers and acts upon it. If the Board fails to adopt this stipulation as its Decision and Order,
12 the Stipulated Surrender of License and Disciplinary Order shall be of no force or effect, except
13 for this paragraph, it shall be inadmissible in any legal action between the parties, and the Board
14 shall not be disqualified from further action by having considered this matter.

15 12. The parties understand and agree that Portable Document Format (PDF) and facsimile
16 copies of this Stipulated Surrender of License and Disciplinary Order, including PDF and
17 facsimile signatures thereto, shall have the same force and effect as the originals.

18 13. In consideration of the foregoing admissions and stipulations, the parties agree that
19 the Board may, without further notice or formal proceeding, issue and enter the following Order:

20 **ORDER**

21 IT IS HEREBY ORDERED that Physician Assistant License No. PA 13240, issued to
22 Respondent Stephen James Grant, P.A., is surrendered and accepted by the Board.

23 1. The surrender of Respondent's Physician Assistant License and the acceptance of the
24 surrendered license by the Board shall constitute the imposition of discipline against Respondent.
25 This stipulation constitutes a record of the discipline and shall become a part of Respondent's
26 license history with the Board.

27 2. Respondent shall lose all rights and privileges as a physician assistant in California as
28 of the effective date of the Board's Decision and Order.

1 3. Respondent shall cause to be delivered to the Board his pocket license and, if one was
2 issued, his wall certificate on or before the effective date of the Decision and Order.

3 4. If Respondent ever files an application for licensure or a petition for reinstatement in
4 the State of California, the Board shall treat it as a petition for reinstatement. Respondent must
5 comply with all the laws, regulations and procedures for reinstatement of a revoked or
6 surrendered license in effect at the time the petition is filed, and all of the charges and allegations
7 contained in Accusation No. 950-2020-002944 shall be deemed to be true, correct and admitted
8 by Respondent when the Board determines whether to grant or deny the petition.

9 5. The Board, upon acceptance of Respondent's surrender of his certificate to practice as
10 a physician assistant, shall close the pending Investigation of Respondent in Supplemental
11 Investigation No. 950-2020-002944.

12 6. Respondent understands and agrees that all information contained in Supplemental
13 Investigation No. 950-2020-002944 shall be preserved. Upon a petition for reinstatement,
14 Respondent agrees and understands that the Board shall be able to use the information contained
15 in Supplemental Investigation No. 950-2020-002944 as a basis for denial of a petition for
16 reinstatement. The information contained in Supplemental Investigation No. 950-2020-002944
17 shall be deemed to be true, correct, and admitted by Respondent when the Board determines
18 whether to grant or deny the petition. Respondent understands and agrees that by entering into
19 this stipulation, that he is permanently waiving any and all claims of laches or statute of limitation
20 defenses as they relate to Supplemental Investigation No. 950-2020-002944.

21 7. Respondent shall pay the agency its costs of investigation and enforcement in the
22 amount of \$11,187.50 prior to issuance of a new or reinstated license.


23 8. If Respondent should ever apply or reapply for a new license or certification, or
24 petition for reinstatement of a license, by any other health care licensing agency in the State of
25 California, all of the charges and allegations contained in Accusation No. 950-2020-002944 shall
26 be deemed to be true, correct, and admitted by Respondent for the purpose of any Statement of
27 Issues or any other proceeding seeking to deny or restrict licensure.

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1 ACCEPTANCE


2 I have carefully read the above Stipulated Surrender of License and Disciplinary Order and
3 have fully discussed it with my attorney. I understand the stipulation and the effect it will have
4 on my Physician Assistant License. I enter into this Stipulated Surrender of License and
5 Disciplinary Order voluntarily, knowingly, and intelligently, and agree to be bound by the
6 Decision and Order of the Physician Assistant Board.

7
8 DATED: 5/4/2022


9 STEPHEN JAMES GRANT, P.A.
Respondent

10 I have read and fully discussed with Respondent Stephen James Grant, P.A. the terms and
11 conditions and other matters contained in this Stipulated Surrender of License and Disciplinary
12 Order. I approve its form and content.

13
14 DATED: 5/10/2022


15 JENNIFER A. SCOTT, ESQ.
Attorney for Respondent

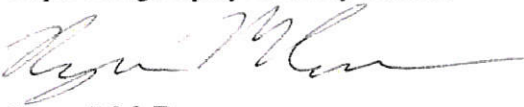
16 ENDORSEMENT

17 The foregoing Stipulated Surrender of License and Disciplinary Order is hereby
18 respectfully submitted for consideration by the Physician Assistant Board of the Department of
19 Consumer Affairs.

20 DATED: 5/10/2022

Respectfully submitted,

21 ROB BONTA
22 Attorney General of California
23 STEVEN D. MUNI
Supervising Deputy Attorney General


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25 RYAN J. MCEWAN
26 Deputy Attorney General
Attorneys for Complainant

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Exhibit A

Accusation No. 950-2020-002944

1 ROB BONTA
Attorney General of California
2 STEVEN D. MUNI
Supervising Deputy Attorney General
3 RYAN J. MCEWAN
Deputy Attorney General
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12 In the Matter of the Accusation Against:

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14 **319 Southbury Ln.**
Chico, CA 95973-8223

ACCUSATION

15 **Physician Assistant License No. PA 13240**

16 Respondent.
17

18
19 **PARTIES**

20 1. Rozana Khan (Complainant) brings this Accusation solely in her official capacity as
21 the Executive Officer of the Physician Assistant Board, Department of Consumer Affairs.

22 2. On or about February 4, 1994, the Physician Assistant Board issued Physician
23 Assistant License No. PA 13240 to Stephen James Grant, P.A. (Respondent). The Physician
24 Assistant License was in full force and effect at all times relevant to the charges brought herein
25 and expired on February 28, 2022.

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JURISDICTION

3. This Accusation is brought before the Physician Assistant Board (Board), Department of Consumer Affairs, under the authority of the following laws. All section references are to the Business and Professions Code (Code) unless otherwise indicated.

4. Section 3527 of the Code states:

“(a) The board may order the denial of an application for, or the issuance subject to terms and conditions of, or the suspension or revocation of, or the imposition of probationary conditions upon a PA license after a hearing as required in Section 3528 for unprofessional conduct that includes, but is not limited to, a violation of this chapter, a violation of the Medical Practice Act, or a violation of the regulations adopted by the board.

“(b) The board may order the denial of an application for, or the suspension or revocation of, or the imposition of probationary conditions upon, an approved program after a hearing as required in Section 3528 for a violation of this chapter or the regulations adopted pursuant thereto.

“ . . .

“(d) The board may order the licensee to pay the costs of monitoring the probationary conditions imposed on the license.

“(e) The expiration, cancellation, forfeiture, or suspension of a PA license by operation of law or by order or decision of the board or a court of law, the placement of a license on a retired status, or the voluntary surrender of a license by a licensee shall not deprive the board of jurisdiction to commence or proceed with any investigation of, or action or disciplinary proceeding against, the licensee or to render a decision suspending or revoking the license.”

5. Section 726 of the Code states:

“(a) The commission of any act of sexual abuse, misconduct, or relations with a patient, client, or customer constitutes unprofessional conduct and grounds for disciplinary action for any person licensed under this or under any initiative act

1 referred to in this division.

2 “(b) This section shall not apply to consensual sexual contact between a
3 licensee and his or her spouse or person in an equivalent domestic relationship when
4 that licensee provides medical treatment, to his or her spouse or person in an
5 equivalent domestic relationship.”

6 6. Section 2234 of the Code, states:

7 “The board shall take action against any licensee who is charged with
8 unprofessional conduct. In addition to other provisions of this article, unprofessional
9 conduct includes, but is not limited to, the following:

10 “(a) Violating or attempting to violate, directly or indirectly, assisting in or
11 abetting the violation of, or conspiring to violate any provision of this chapter.

12 “(b) Gross negligence.

13 “(c) Repeated negligent acts. To be repeated, there must be two or more
14 negligent acts or omissions. An initial negligent act or omission followed by a
15 separate and distinct departure from the applicable standard of care shall constitute
16 repeated negligent acts.

17 “(1) An initial negligent diagnosis followed by an act or omission medically
18 appropriate for that negligent diagnosis of the patient shall constitute a single
19 negligent act.

20 “(2) When the standard of care requires a change in the diagnosis, act, or
21 omission that constitutes the negligent act described in paragraph (1), including, but
22 not limited to, a reevaluation of the diagnosis or a change in treatment, and the
23 licensee’s conduct departs from the applicable standard of care, each departure
24 constitutes a separate and distinct breach of the standard of care.

25 “(d) Incompetence.

26 “(e) The commission of any act involving dishonesty or corruption that is
27 substantially related to the qualifications, functions, or duties of a physician and
28 surgeon.

“(f) Any action or conduct that would have warranted the denial of a certificate.

“(g) The failure by a certificate holder, in the absence of good cause, to attend and participate in an interview by the board. This subdivision shall only apply to a certificate holder who is the subject of an investigation by the board.”

7. Section 118, subdivision (b), of the Code provides that the suspension/expiration/surrender/cancellation of a license shall not deprive the Board/Registrar/Director of jurisdiction to proceed with a disciplinary action during the period within which the license may be renewed, restored, reissued or reinstated.

COST RECOVERY

8. Section 125.3 of the Code states, in pertinent part, that the Board may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

FACTUAL ALLEGATIONS

9. Respondent is a physician assistant who, at all times relevant to this action, worked at First Care Medical Associates, Inc. (FCMA), in Orland, California. Patient A¹ is a 42 year-old woman. Medical records obtained by the Board indicate that Respondent first treated Patient A in or around 2016, and that he treated Patient A periodically until October 2018. Patient A re-established care with Respondent on or around February 26, 2020. Patient A's diagnoses included Post-Traumatic Stress Disorder, bipolar disorder, alcohol withdrawal, anxiety, insomnia, and nausea.

10. On or about June 25, 2020, Respondent saw Patient A for a follow-up visit where they discussed Patient A's weight loss, heartburn, and nausea, among other things. Respondent

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¹ The patient's identity is omitted to protect privacy. It is known to Respondent and will be provided in discovery.

1 documented a plan to start Zofran² and temazepam,³ and to stop Xanax.⁴ Respondent had been
2 prescribing Xanax to Patient A since February 2020. Prior to that, Respondent prescribed Xanax
3 to Patient A between July 2018 through November 2018.

4 11. On or about June 30, 2020, Respondent saw Patient A for a follow-up visit where
5 they discussed recent medication changes. Patient A reported that new prescriptions for Zofran
6 and Temazepam had relieved her chronic nausea and insomnia. During this visit, Patient A and
7 Respondent were seated near each other, and Respondent rubbed Patient A's thigh while they
8 spoke. Near the end of the visit, Patient A and Respondent both stood up. Respondent then
9 proceeded to kiss and grope Patient A. Respondent put his hand into Patient A's crotch and
10 placed her hand on his crotch so that she could feel his genitalia. Patient A could feel
11 Respondent's erection as he kissed and groped her. Respondent and Patient A were both clothed,
12 and the touching was done over Patient A's clothing.

13 12. Shortly after the above visit, Respondent began sending text messages to Patient A,
14 even though she had not given Respondent her cell phone number. In the initial text messages,
15 Respondent told Patient A that he was "[a]vailable for emergencies and if you'd like to meet.
16 Discretion is a high point." He also warned: "[P]lease understand that in any meeting there's
17 going to [be] a powerful, very likely overpowering physical drive. It will be difficult for me to
18 keep respecting a distance you may want to keep which will mean I will need to stop meeting for
19 my own peace of mind. Sorry, but being honest. I'm actually physically responding just to this
20 contact." When Patient A asked Respondent what he wanted from her, Respondent described in
21 graphic detail sexual acts that he would like to engage in with Patient A, including oral sex.
22 Respondent continued texting Patient A the next few weeks. He encouraged Patient A to meet

23
24 ² Zofran (brand name for the drug ondansetron) is used to prevent nausea and vomiting.

25 ³ Temazepam (generic name for the brand drug Restoril) is a benzodiazepine used for the
26 short-term treatment of insomnia. It is a Schedule IV controlled substance pursuant to Code of
27 Federal Regulations Title 21 section 1308.14(c) and Health and Safety Code section 11057,
28 subdivision (d), and a dangerous drug pursuant to Business and Professions Code section 4022.

⁴ Xanax (brand name for the drug alprazolam) is a short-acting benzodiazepine used to
treat anxiety, and is a Schedule IV controlled substance pursuant to Code of Federal Regulations
Title 21 section 1308.14. Xanax is a dangerous drug pursuant to Business and Professions Code
section 4022 and is a Schedule IV controlled substance pursuant to Health and Safety Code
section 11057, subdivision (d).

1 him at the clinic as well as outside of it. When they texted about Patient A coming back to the
2 clinic, however, Respondent cautioned that, "[N]o one is or can be aware that we talk on
3 messaging. It's weird not just in regard to you but none of my patients have my number. It's not
4 done for our privacy sake."

5 13. Although Patient A did not want to see Respondent again, on or about July 22, 2020,
6 she needed medical attention for an urgent matter. She returned to FCMA and was seen by
7 Respondent. She wore a mask during the appointment this time hoping that it would deter
8 Respondent from kissing her again; however, as she laid on her back on the examination table,
9 Respondent removed her mask and kissed her. Respondent then positioned himself so that Patient
10 A's left hand could feel his erection through his pants. She did not move and did not kiss back.
11 The kissing occurred for approximately one minute. Afterwards, she left the office and did not
12 return to see Respondent at the clinic.

13 14. Respondent continued to send text messages to Patient A after that visit, at least until
14 August 11, 2020. Around the time that Respondent started to send text messages to Patient A, he
15 also began frequenting her place of work much more often until she quit. Patient A also changed
16 her phone number.

17 15. As noted above, on June 25, 2020, Respondent had discontinued Patient A's
18 prescription for Xanax and started a new prescription for Temazepam. Taken together, these
19 medications may increase side effects such as dizziness, drowsiness, confusion, and difficulty
20 concentrating with impairment in judgment and driving. Despite those side effects and
21 documenting that he discontinued Patient A's prescription for Xanax, Respondent continued to
22 write prescription(s) to Patient A for the medication. Pharmacy profiles show that Patient A filled
23 prescriptions for: 120 tablets of Xanax 0.5 mg on June 30, 2020; 90 tablets of Xanax 0.25 mg on
24 July 10, 2020; and 120 tablets of Xanax 0.5 mg on July 31, 2020. Two of these prescriptions were
25 actually an increase in the dosage from 0.25 mg to 0.5 mg.

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1 **FIRST CAUSE FOR DISCIPLINE**

2 (Sexual Abuse or Misconduct)

3 16. Respondent's license is subject to disciplinary action under Code section 726 in that
4 he committed sexual abuse or misconduct with Patient A, as more particularly alleged in
5 paragraphs 9 through 15, above, which are hereby incorporated by reference and realleged as if
6 fully set forth herein.

7 **SECOND CAUSE FOR DISCIPLINE**

8 (Gross Negligence)

9 17. Respondent's license is subject to disciplinary action under Code sections 2234,
10 subdivision (b), and 3527, in that he committed gross negligence during the care and treatment of
11 Patient A, as more particularly alleged in paragraphs 9 through 16, above, which are hereby
12 incorporated by reference and realleged as if fully set forth herein. Additional circumstances are
13 as follows:

14 18. Respondent committed grossly negligent acts, including but not limited to:

15 A. Kissing and inappropriately touching Patient A in the examination room during
16 two medical office visits;

17 B. Sending text messages to Patient A that were graphic and sexual in nature,
18 included requests to meet Patient A in a social setting, and were not related to the care and
19 treatment of Patient A; and

20 C. Continuing to prescribe Xanax despite discontinuing the medication during a
21 patient visit, which also potentially increased side effects when prescribed with another controlled
22 substance (Temazepam).

23 **THIRD CAUSE FOR DISCIPLINE**

24 (Repeated Negligent Acts)

25 19. Respondent's license is subject to disciplinary action under Code sections 2234,
26 subdivision (c), and 3527, in that he committed repeated negligent acts during the care and
27 treatment of Patient A, as more particularly alleged in paragraphs 9 through 18, above, which are
28 hereby incorporated by reference and realleged as if fully set forth herein.

1 **FOURTH CAUSE FOR DISCIPLINE**

2 (Unprofessional Conduct)

3 20. Respondent is subject to disciplinary action under Code sections 2234 and 3527, in
4 that he engaged in conduct which breaches the rules or ethical code of the profession, and which
5 demonstrates an unfitness to practice as a physician assistant, as more particularly alleged in
6 paragraphs 9 through 19, above, which are hereby incorporated by reference as if fully set forth
7 herein.

8 **PRAYER**

9 WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged,
10 and that following the hearing, the Physician Assistant Board issue a decision:

11 1. Revoking or suspending Physician Assistant License No. PA 13240, issued to
12 Respondent Stephen James Grant, P.A.;

13 2. Ordering Respondent Stephen James Grant, P.A. to pay the Physician Assistant Board
14 the reasonable costs of the investigation and enforcement of this case, pursuant to Business and
15 Professions Code section 125.3;

16 3. Ordering Respondent Stephen James Grant, P.A., if placed on probation, to pay the
17 Board the costs of probation monitoring; and

18 4. Taking such other and further action as deemed necessary and proper.
19
20

21 DATED: March 17, 2022

Rozana Khan

22 ROZANA KHAN
23 Executive Officer
24 Physician Assistant Board
25 Department of Consumer Affairs
26 State of California
27 Complainant
28

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